

# SENATE BILL 660

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2lr1851

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By: **Carroll County Senators**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 22, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Carroll County – Board of Education – Selection of Student Member**

3 FOR the purpose of altering the composition of the Carroll County Board of Education  
4 to include a certain nonvoting student member; establishing the qualifications,  
5 selection process, and term of the student member; prohibiting a certain student  
6 member from attending an executive session of the county board except under  
7 certain circumstances; making certain conforming changes; and generally  
8 relating to the selection of the student member of the Carroll County Board of  
9 Education.

10 BY repealing and reenacting, with amendments,  
11 Article – Education  
12 Section 3–401  
13 Annotated Code of Maryland  
14 (2008 Replacement Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Education**

18 3–401.

19 (a) The Carroll County Board consists of:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (1) Five voting members; [and]

2 (2) **ONE NONVOTING STUDENT MEMBER; AND**

3 (3) The County Commissioners, who are nonvoting ex officio members.

4 (b) A candidate elected to the county board shall be a resident and registered  
5 voter of Carroll County. Any **VOTING** member who no longer resides in Carroll County  
6 may not continue as a member of the board.

7 (c) (1) [Members] **THE FIVE VOTING MEMBERS** of the Carroll County  
8 Board shall be elected as follows:

9 (i) Two members of the board shall be elected in the November  
10 general election of 1994 and every 4 years thereafter;

11 (ii) Two members of the county board shall be elected in the  
12 November general election of 1996 and every 4 years thereafter; and

13 (iii) One member of the county board shall be elected in the  
14 November general election of 1998 and every 4 years thereafter.

15 (2) [Members] **VOTING MEMBERS** of the county board shall be  
16 elected:

17 (i) At a general election as required by this section; and

18 (ii) On a general countywide ticket.

19 (d) (1) [Each] **EXCEPT FOR THE STUDENT MEMBER, EACH VOTING**  
20 member serves for a term of 4 years beginning the first Monday in December  
21 immediately following the member's election and until a successor is elected and  
22 qualifies. The terms of the **VOTING** members are staggered as required for the  
23 elections to the county board in subsection (c)(1) of this section.

24 (2) The Governor shall appoint a new **VOTING** member to fill any  
25 vacancy on the board for the remainder of that term and until a successor is elected  
26 and qualifies.

27 (3) A **VOTING** member of the county board as of October 1, 1993, and  
28 any **VOTING** member appointed to fill a vacancy in an unexpired term of such  
29 member, shall hold office during his term and until a successor is elected and qualifies.

30 (E) (1) **BEGINNING IN THE 2013 – 2014 SCHOOL YEAR, THE STUDENT**  
31 **MEMBER SHALL:**

1                   **(I) BE A RISING ELEVENTH OR TWELFTH GRADE STUDENT**  
2 **IN THE CARROLL COUNTY PUBLIC SCHOOL SYSTEM ELECTED BY THE HIGH**  
3 **SCHOOL STUDENTS OF THE COUNTY IN ACCORDANCE WITH PROCEDURES**  
4 **ESTABLISHED BY THE SCHOOL SYSTEM;**

5                   **(II) SERVE FOR 1 YEAR BEGINNING JUNE 1;**

6                   **(III) BE A NONVOTING MEMBER; AND**

7                   **(IV) ADVISE THE COUNTY BOARD ON THE THOUGHTS AND**  
8 **FEELINGS OF THE STUDENTS.**

9                   **(2) UNLESS INVITED TO ATTEND BY AN AFFIRMATIVE VOTE OF A**  
10 **MAJORITY OF THE COUNTY BOARD, THE STUDENT MAY NOT ATTEND AN**  
11 **EXECUTIVE SESSION.**

12           **[(e)] (F) (1) The State Board may remove a member of the county board**  
13 **for:**

14                   (i) Immorality;

15                   (ii) Misconduct in office;

16                   (iii) Incompetency; or

17                   (iv) Willful neglect of duty.

18                   (2) Before removing a member, the State Board shall send the member  
19 a copy of the charges against him and give him an opportunity within 10 days to  
20 request a hearing.

21                   (3) If the member requests a hearing within the 10-day period:

22                   (i) The State Board promptly shall hold a hearing, but a  
23 hearing may not be set within 10 days after the State Board sends the member a  
24 notice of the hearing; and

25                   (ii) The member shall have an opportunity to be heard publicly  
26 before the State Board in his own defense, in person or by counsel.

27                   (4) A member removed under this subsection has the right to a de  
28 novo review of the removal by the Circuit Court for Carroll County.

29                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 July 1, 2012.